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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/862,433

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Takashi Shinzaki

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EXAMINER

NOBAHAR, ABDULHAKIM

ART UNIT

PAPER NUMBER

2132

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/862,433

Applicant(s)

SHINZAKI, TAKASHI

Examiner

Abdulhakim Nobahar

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 15-25 is/are rejected.
- 7) ☒ Claim(s) 14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

The claim 16 is generally narrative and indefinite, failing to conform to current U.S. practice. It appears to be a literal translation into English from a foreign document and is replete with grammatical and idiomatic errors.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 2, 4, 8-13, 15, 16, 18, 19, 22 and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Durst, Jr. et al (6,542,933 B1; hereinafter Durst).

Regarding claims 1, 2, 4, 8-10, 18, 19 and 25, Durst discloses a system comprising a content server (corresponding to the recited information providing server) that stores and provides data to a client (corresponding to the recited an information terminal) over a network (see, for example, col. 2, lines 36-51; col. 2, line 67-col. 3, line 10; Fig. 1; col. 6, lines 10-20). Durst discloses that the client accesses the content server for different queries through an information server (corresponding to the recited viewing-access-log recording server) (col. 3, lines 10-21). The information server redirects the client computer to the content server. Durst also discloses that the client system periodically makes requests to the content server as status query (col. 18, lines 34-44). Durst also discloses that the content server may be a server on the World Wide Web to provide published information and a other servers also may run on the web server (see, for example, col. 6, line 29-col. 7, line 19; col. 7, line col. 21, lines 35-67). Durst further discloses that the information server alternatively retrieve the requested information by the client from its local storage and provides to the client (corresponding to the operation of the recited obtaining function) (col. 3, lines 21-24). Durst further discloses that the information server stores a hit log (corresponding to the recited viewing-access-log) that logs information about the user, the user request and the date and time of the request (see, for example, col. 4, lines 2-7; col. 6, lines 40-52; col. 14, lines 17-38).

Regarding claim 11, Durst teaches that a client access to information on a content server over Internet is normally happens through a proxy server as it is standard in the industry (col. 5, lines 23-31; col. 12, lines 3-15).

Regarding claim 12, Durst teaches every user (corresponding to a publisher) is required to register beforehand with a registration server that may also run on the web server (i.e., content server) to receive a unique ID (corresponding to the recited password) (col. 7, lines 5-19; col. 11, line 55-col. 12; line 22). Durst teaches that for a certain queries a user must transmit both the user ID and another code called an item identification code (corresponding to the recited identification information) to the information server by inputting to the user terminal (col. 3, lines 5-13; col. 3, lines 50-60).

Regarding claim 13, Durst teaches that a linkage code that includes a server identification code and an item identification code is inputted into client computer for accessing a content data on a server (col. 3, lines 3-10). Durst also teaches that the linkage code may be carried on an item similar to a card (corresponding to the recited a prepaid card) (see, for example, Fig. 1, item 2; col. 7, lines 51-67).

Regarding claims 15, 16 and 22, Durst teaches a system comprising of a content server (corresponding to the recited information provider server) and an information server (corresponding to the recited publishing-access-log recording server) that

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maintains a hit log (corresponding to the recited publishing-access-log) for logging information such as time and date that a client queries the content server and the client request (col. 3, lines 10-21; col. 4, lines 2-7; Fig. 2; col. 6, lines 40-52; col. 14, lines 17-38). Durst further teaches the usage of the system as a publishing information system by receiving information from clients through the information server (see, for example, col. 23, lines 6-35).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 5-7, 17, 20, 21 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Durst, Jr. et al (6,542,933 B1; hereinafter Durst) in view of Downs et al (6,574,609 B1; hereinafter Downs).

Regarding claims 3 and 20, Durst teaches a scheme for scrambling the user ID and the information's URL that is called linkage code blinding by using encryption operation, in order to prevent illegal use of user's information by an unauthorized person

(col. 18, line 60-col. 19, line 30). However, Durst does not expressly teach a message-digesting scheme for creating a message digest of the published information.

Downs teaches a method for a secure electronic management of content data by storing the content data on a host computer in an encrypted form and providing the encrypted encryption key along with promotional data to a customer's system (see, for example, col. 3, lines 49-67). Downs also teaches that the sender of content data (corresponding to the recited viewing-access-log recording server) generates a digest of the content and stores it in a file with other information such as encrypted content, encrypted symmetric key and sender's certificate (col. 15, line 50-col. 16, line 13).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to implement a scheme to produce a message digest of a content as taught in Downs in the system of Durst, because it would enable the recipient of a content to confirm the integrity and correctness (i.e., no alteration) of the received content by using the message digest of the content (downs, col. 16, line 25-45).

Regarding claims 5-7, 21, 23 and 24, these claims are rejected as applied to the like elements of claim 1 as stated above and further the following:

Durst teaches a scheme for scrambling the user ID and the information's URL that is called linkage code blinding by using encryption operation, in order to prevent illegal use of user's information by an unauthorized person (col. 18, line 60-col. 19, line 30). However, Durst does not expressly teach the encryption of the hit log and the time

stamp of the hit log by using a secret key for the purpose of generating digital signatures.

Downs teaches that the clearinghouse of the electronic data distribution system uses a private key encryption scheme and digital signatures for secure distribution of content and information among the system's components (col. 7, lines 35-50; col. 14, lines 3-39). Downs also teaches that the clearinghouse maintains an audit log of information for each operation that is performed during content purchase transaction for purposes such as generation of reports and data mining (col. 44, lines 4-10). The clearinghouse also logs the date and time of each transaction (corresponding to the recited adding a time stamp to the viewing-access-log) (col. 44, line 23-col. 45, line 18). Downs further teaches that the clearinghouse also uses the digital signature for reporting purpose to verify that the request for a report has been originated from an authorized entity (col. 45, lines 30-40).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to implement a cryptography scheme for producing a digital signature of an information as taught in Downs in the system of Durst, because it would provide protection against unauthorized interception or modification of electronic information such as a log or a time stamp, for example (Downs, col. 7, lines 42-46).

Regarding claim 17, Durst teaches the compression of the IP address of the information server (col. 10, lines 55-65), however, Durst does not expressly teach the compression of content data. Downs teaches a process that compresses the



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information for storage purpose (see, for example, col. 8, lines 40-64; col. 9, lines 60-67).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to compress the publishing information as taught in Downs in the system of Durst, because it would make the system architecture more flexible (Downs, col. 9, lines 2-10).

### ***Allowable Subject Matter***

Claim 14 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 6,018,619 to Allard et al.

US Patent No. 5,799,284 to Bourquin.

US Patent No. 5,848,413 to Wolff.

US Patent No. 6,714,992 B1 to Kanojia et al.

US Patent No. 6,148,333 to Guedalia et al.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdulhakim Nobahar whose telephone number is 703-305-8074. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 703-305-1830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abdulhakim Nobahar  
Examiner  
Art Unit 2132

*A.N.*

AN

January 5, 2005

*Gilberto Barron Jr.*  
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